

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

WILLIAM SCOTT,)
)
)
Plaintiff,)
)
)
v.) 1:20CV83
)
)
WAKE FOREST UNIVERSITY, et al.,)
)
)
Defendants.)

ORDER

This matter is before this court for review of the Order and Recommendation filed on January 30, 2020, by the Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 5.) In the Recommendation, the Magistrate Judge recommends that the Complaint be dismissed for failure to state a claim and lack of subject matter jurisdiction. The Recommendation was served on the parties to this action on January 30, 2020. (Doc. 6.) Plaintiff filed objections, (Doc. 7), within the time limit prescribed by Section 636.

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations

made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 5), is **ADOPTED**. **IT IS FURTHER ORDERED** that this action is **DISMISSED** for failing to state a claim and lack of subject matter jurisdiction. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 6th day of May, 2020.

William L. Oshan, Jr.
United States District Judge